

Topic: Aquifer Protection; Subdivision Regulations; Recreational Uses
Resource Type: Regulations
State: New York
Jurisdiction Type: Municipal
Municipality: Town of Cortlandt
Year (adopted, written, etc.): Unknown
Community Type - applicable to: Suburban; Rural
Title: Town of Cortlandt Aquifer Protection District
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Abstract

Chapter 307 regulates the use of open space in Cortlandt. Among other things, the Town requires developers to set aside recreational land within a subdivision and leaves financial findings to the Town Board.

Resource

Town of Cortlandt NY Aquifer Protection District
Code of the Town of Cortlandt NY
Chapter 307
General Code
[http://www.e-codes.generalcode.com/codebook_frameset.asp?t=tc&p=0244%2D307%2Ehtm%23ArticleIX&cn=1163&n=\[1\]\[250\]\[1119\]\[1163\]](http://www.e-codes.generalcode.com/codebook_frameset.asp?t=tc&p=0244%2D307%2Ehtm%23ArticleIX&cn=1163&n=[1][250][1119][1163])

ARTICLE IX Aquifer Protection District

§ 307-35. Purpose.

The purpose of the Aquifer Protection District is to protect, preserve and maintain the water supply recharge areas within the Town so as to preserve present and potential sources of water supply for the public health, safety and welfare.

§ 307-36. Permitted uses.

- A. All uses permitted by this chapter in the underlying zoning districts, as permitted in said districts, except those uses specified by this Article as requiring special permits or as prohibited uses, shall be permitted.

- B. All uses, storage and application of pesticides and herbicides shall be in conformance with New York State Environmental Conservation Law Article 33.

§ 307-37. Special permit uses.

Provided that such uses are permitted as of right in the underlying zoning district or provided that a special permit is obtained for any use requiring the same in the underlying zoning district, the following uses are permitted subject to the obtaining of a special permit as provided in Article X and in conformity with the standards set forth in Article X of this chapter.

- A. Any parking area for more than five vehicles, including both accessory parking areas and parking areas as principal uses, but excluding driveways. Such parking areas shall be designed with oil separators and other measures to prevent any discharge of petroleum into the ground.
- B. Motor vehicle repair garage, provided that:
 - (1) All operations take place entirely within a building and upon a concrete floor designed with elevated edges and without drains so that no drainage can occur into the ground.
 - (2) There is no on-site petroleum product storage except for the following: vehicle fuel stored in vehicle tanks and petroleum storage in tanks which, regardless of size, are designed and constructed in accordance with the standards of the New York State Department of Environmental Conservation Rules and Regulations for Bulk Storage (6 NYCRR 614) and applicable federal standards. Replacement tanks must meet the aforementioned requirements.
 - (3) Any area for the outside storage of motor vehicles shall be designed with oil separators and other measures to prevent any discharge of petroleum or other hazardous material into the ground.

§ 307-38. Prohibited uses.

Prohibited uses shall be as follows:

- A. Land application of wastewater, septage and sludge.
- B. Open storage of manure, open storage of fertilizer, animal feedlots and confinement areas within 100 feet of any watercourse and surface water drainage from such facilities

into any watercourse.

- C. Creation or discharge of hazardous pathogenic or radioactive material, solid waste or junk, junkyards and petroleum products.
- D. Treatment of hazardous material.
- E. Dry-cleaning and dyeing establishments and laundries that utilize cleaning solvents.
- F. Printing and photoprocessing establishments that use on-site chemical processes.
- G. Furniture finishing and stripping establishments.
- H. The storage of hydrocarbon products, except for the following: vehicle fuel stored in vehicle tanks; on-site storage of home heating oil; and fuel for on-site use by commercial establishments, in storage tanks, provided that such tanks, regardless of size, are designed and constructed in accordance with the standards of the New York State Department of Environmental Conservation Rules and Regulations for Bulk Storage (6 NYCRR 614) and applicable federal regulations. Replacement tanks must meet the aforementioned requirements.
- I. Automotive gasoline stations; car washes.
- J. Open storage of road salt.
- K. Storage of hazardous materials, except in sealed or unopened containers for resale or in containers normal for household use.

§ 307-39. Nonconforming uses and structures.

Uses and structures which do not conform to the requirements of this Article shall be deemed nonconforming and shall be brought into conformance within one year of the effective date of this chapter.